IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.7089 OF 2007

Shree Laxmi Fabrics : Petitioner
(Orig.Defendant)

V/s.

Kamleshsingh Harnamsingh Chowhan : Respondent
(Orig. Plaintiff)

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Mr.R.A.Thorat with Mr.V.K.Gupta i/b. M/s.Gupta & Gupta for the petitioner.

Mr.Kantawala for the respondent.

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CORAM : S.A.BOBDE, J.

DATE : SEPTEMBER 26, 2007.

P.C.

1. Rule, returnable forthwith.

Heard by consent.

2. After hearing the matter for sometime, the following order is passed by consent:-

O R D E R

(i) Mr.Kantawala, the learned counsel for the respondent, hereby withdraws the application for

issuance of witness summons dated 8.8.2007 on which the impugned order is passed. In the circumstances, the impugned orders are hereby set aside.

(ii) The respondent shall, however, be at liberty to take out appropriate proceedings in regard to the alleged fraud on the Court.

(iii) The Writ Petition stands disposed of.

S.A. BOBDE, J.